

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CRADLE OF LIBERTY COUNCIL, INC.,	:	CIVIL ACTION
BOY SCOUTS OF AMERICA,	:	
	:	
Plaintiff,	:	NO. 08-2429
	:	
v.	:	
	:	
THE CITY OF PHILADELPHIA,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 31st day of March, 2010, upon consideration of the memoranda of the parties regarding the amount of the bond to be paid by Plaintiff Cradle of Liberty, Inc., Boy Scouts of America pursuant to Federal Rule of Civil Procedure 65(c), along with the evidence and arguments presented at the hearing on March 30, 2010, it is hereby **ORDERED** that plaintiff must post a nominal bond of one dollar.¹

BY THE COURT:

s/Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.

¹While defendant is generally correct that a case seeking protection for fundamental constitutional rights does not itself foreclose the posting of a bond, it is a very important consideration where the plaintiff has made out a *prima facie* case and defendant has provided no more than an appraisal of the fair market and rental value of the property in question.